



POLICE DEPARTMENT

February 10, 2011

MEMORANDUM FOR: Police Commissioner

Re: Police Officer Danica Reynolds
Tax Registry 943724
10 Precinct
Disciplinary Case No. 85995/09

The above-named member of the Department appeared before me on January 24, 2011, charged with the following:

1. Said Police Officer Danica Reynolds, while assigned to the 10th Precinct, on or about May 20, 2009, while off-duty, at a location in [REDACTED] County, wrongfully engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Police Officer failed to safeguard her New York City Police Department plaque, to wit: said Police Officer failed to properly secure her Department issued parking plaque which was left unsecured in her home.

P.G. 203-10, Page 1, Paragraph 5 – PUBLIC CONTACT – GENERAL
REGULATIONS

The Department was represented by Javier Seymore, Esq., Department Advocate's Office, and the Respondent was represented by Michael Martinez, Esq.

The Respondent, through her counsel, entered a plea of Guilty to the subject charges. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review.

DECISION

The Respondent, having plead Guilty, is found Guilty as charged.

SUMMARY OF EVIDENCE IN MITIGATION

The Respondent testified that she was appointed to the Department on January 10, 2007. After attending the Police Academy, she was assigned to the 10 Precinct, where she currently works. She had about two-and-a-half years on the job on May 20, 2009, and, at the time, she lived at [REDACTED], in [REDACTED], with [REDACTED], who is now her ex-boyfriend. At that time, she owned a [REDACTED] which she primarily used to commute to and from work. At about that time her car was towed and after the car had remained at the tow pound for a few months it was auctioned off. She recently paid the tickets that resulted in that car being towed.

The license plate of that car, she believed, was [REDACTED] and a parking plaque¹ had been issued to that car by the Department. After the car was towed she kept the plaque because she thought she would be getting another car. She also did not know she was supposed to turn in the plaque and she believed that when she got a new car they would simply write the new plate number on that plaque.

She was never instructed, at the Police Academy or in her command as to how she was supposed to store the plaque. She kept the plaque in a drawer with other papers such as mail. She never gave [REDACTED] permission to use the plaque.² She ended her relationship with [REDACTED] about seven months ago. She now has a new parking plaque.

On cross-examination, the Respondent agreed that she had the plaque from December 4, 2008 to the time it was recovered in [REDACTED]'s car in May 2009, a period of about seven months. She did own the vehicle for part of that period, during which time she used the plaque in that vehicle. During that time, she usually kept the plaque in the

¹ Officially known as an NYPD Restricted Parking Permit.

² It was stipulated by the parties that the plaque was recovered in [REDACTED]'s car.

car. She did not recall when that vehicle had been towed. The Respondent indicated that she did consider keeping her plaque in a dresser drawer in her home to be a proper means of safeguarding that Department property.

PENALTY

In order to determine an appropriate penalty, the Respondent's service record was examined, see *Matter of Pell v. Board of Education*, 34 N.Y.2d 222 (1974).

The Respondent was appointed to the Department on January 10, 2007. Information from her personnel folder that was considered in making this penalty recommendation is contained in the attached confidential memorandum.

The Respondent has pleaded guilty to the specifications in this case. The sole issue is penalty. The Department has recommended a penalty of 20 days, the Respondent believes a penalty of 5 days is more appropriate.

There are any number of cases in which penalties of 20 days or thereabouts have been imposed for the failure to safeguard parking plaques. In many of those cases the result has been the unauthorized duplication of the plaques. In this case, it was the direct use of the plaque itself.

The Respondent has acknowledged responsibility and the only issue is the appropriate penalty. The Respondent knew or should have known that [REDACTED] had access to her drawer. Clearly, [REDACTED] knew the value of the plaque, took it and utilized it. The Respondent needed to safeguard it from him and failed to do so. Under all the circumstances, there is nothing about this case that suggests that a lesser penalty should

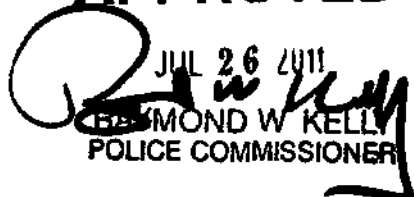
be imposed. Indeed, it should be noted, the Respondent should have turned in the plaque when she abandoned her car at the tow pound.

For all these reasons, this Court recommends a penalty of 20 vacation days.

Respectfully Submitted,



Martin G. Karopkin
Deputy Commissioner – Trials

APPROVED
JUL 26 2011

RAYMOND W. KELLY
POLICE COMMISSIONER

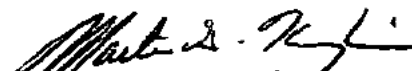
POLICE DEPARTMENT
CITY OF NEW YORK

From Deputy Commissioner – Trials
To Police Commissioner
Subject CONFIDENTIAL MEMORANDUM
POLICE OFFICER DANICA REYNOLDS
TAX REGISTRY NO 943724
DISCIPLINARY CASE NO 85995/09

In 2010, the Respondent received an overall rating of 3.5 "Highly
Competent/Competent" on her annual performance evaluation. She was rated 3.0 "Competent"
in 2009. [REDACTED]

[REDACTED] She has no prior formal disciplinary record.

For your consideration


Martin G. Karopkin
Deputy Commissioner – Trials